

CASE LS/93-23017/A/PCT

CERTIFICATE OF MAILING

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Dolores DeCarmino  
Type or print name

Dolores DeCarmino  
Signature

5/7/07  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF  
PAUL ADRIAAN VAN DER SCHAAF ET AL  
INTERNATIONAL APPLICATION NO. PCT/EP 05/050362  
FILED: JANUARY 28, 2005  
FOR: CRYSTALLINE FORMS OF ZOLMITRIPTAN  
U.S. APPLICATION NO: 10/588,176  
35 USC 371 DATE: AUGUST 2, 2006

Group Art Unit: 1626

Examiner:

**Mail Stop: PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

LETTER TO CORRECT FILING RECEIPT

Sir:

Applicants have now received the filing receipt in the above-identified application. However, in viewing the paper, Applicants noted that the section **“Assignment For Published Patent Application”** should read: **Ciba Specialty Chemicals Corporation, Tarrytown, New York not CIBA SPECIALTY CHEMICALS HOLDING INC., Basel, SWITZERLAND.** On the title page of PCT International Publication **WO 2005/075467** (a copy is enclosed herewith) Item (71) shows this to be true. The item indicates that CIBA SPECIALTY CHEMICALS HOLDING INC. should be the Applicant for (*all designated states except the U.S.*). Please correct this error to avoid problems in the future.

Enclosed is a copy of the filing receipt with the correction noted.

Respectfully submitted,



Tyler A. Stevenson  
Agent for Applicants  
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Encl.: copy of filing receipt  
Copy of title page of WO2005/075467

Date: May 4, 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/588,176	08/02/2006	1626	2550	LS/95-23017/A/PCT	37	7

324  
 CIBA SPECIALTY CHEMICALS CORPORATION  
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RECEIVED  
 Andrea DeCecchis

APR 26 2007

Docket Coordinator  
 Patent Department

CONFIRMATION NO. 5060

FILING RECEIPT



\*OC000000023470295\*

Date Mailed: 04/23/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Paul Adriaan Van Der Schaaf, Hagenthal-le-Haut, FRANCE;  
 Fritz Blatter, Reinach, SWITZERLAND;  
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 Ulrich Berens, Binzen, GERMANY;  
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**Assignment For Published Patent Application**

CIBA-SPECIALTY-CHEMICALS-HOLDING-INC., Basel, SWITZERLAND  
 Ciba Specialty Chemicals Corp., Tarrytown, NY

**Power of Attorney:** The patent practitioners associated with Customer Number 324.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/EP05/50362 01/28/2005  
 which claims benefit of 60/543,107 02/09/2004

**Foreign Applications**

EUROPEAN PATENT OFFICE (EPO) 04100452.4 02/06/2004

**If Required, Foreign Filing License Granted:** 04/19/2007

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/588,176**

LS/93-23017/A/PCT

**Projected Publication Date:** 07/26/2007

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Crystalline forms of zolmitriptan ✓

**Preliminary Class**

514

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization International Bureau



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18 August 2005 (18.08.2005)

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(74) Common Representative: CIBA SPECIALTY CHEMICALS HOLDING INC.; Patent Department, Klybeckstrasse 141, CH-4057 Basel (CH).

(21) International Application Number:  
PCT/EP2005/050362

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

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Published:  
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1 December 2005

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

WO 2005/075467 A3

(54) Title: CRYSTALLINE FORMS OF ZOLMITRIPTAN

(57) Abstract: The present invention is directed to a novel crystalline form of Zolmitriptan, herein designated as Form A, and several novel solvates of Zolmitriptan, herein designated as Form B, C, D, E, F, and G, processes for the preparation thereof and pharmaceutical compositions comprising these crystalline forms.